

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE**

THEODORE ALFRED ARCIDI,

Plaintiff

v.

UNITED STATES OF AMERICA
C/O Office of the Attorney General
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

and

FEDERAL BUREAU OF INVESTIGATION
J. Edgar Hoover Building
935 Pennsylvania Avenue, N.W.
Washington, D.C. 20535

and

MERRICK GARLAND, in his official
Capacity as Attorney General
Office of the Attorney General
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001,

Defendants

ASSENTED-TO MOTION TO EXTEND THE STAY

Plaintiff, Theodore A. Arcidi, by undersigned counsel, respectfully moves the court to extend the stay of proceedings in this case for approximately 90 days because the Waltham District Court in Massachusetts has informed counsel that Mr. Arcidi's file has been mis-placed.

1. As grounds for this motion, counsel for plaintiff and defendants continue to agree that the Waltham District Court could rule on disputed issues which could potentially resolve the matter pending in this Court.

2. Plaintiff has filed a motion to correct clerical errors in the record or for post-conviction relief under the Massachusetts Rules of Criminal Procedure, and is currently awaiting the court's scheduling of a date for a hearing on the motion.

3. The court has still not scheduled this hearing because the file has been mis-placed. The clerk's office has informed undersigned counsel that "the search [for the file] continues."

4. Counsel for defendants has assented to this motion to extend the stay, no party will be prejudiced by granting it, and judicial economy will be served by staying the case for an additional 90 days until Friday, January 27th, 2023.

5. Because this motion is procedural in nature, no supporting memorandum is required.

6. Granting this motion will not result in the continuance of any trial, hearing, or conference.

WHEREFORE, plaintiff requests that this Court extend the stay in this matter for an additional 90 days until Friday, January 27th, 2023 to give the state trial court time to locate plaintiff's file and plaintiff to obtain a ruling from that court.

Dated: October 29th, 2022

Respectfully submitted,
Theodore Alfred Arcidi
By his Attorneys,
Olson & Olson, P.A.

/s/ Kurt S. Olson

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CERTIFICATE OF SERVICE

I, Kurt S. Olson, hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Kurt S. Olson
Kurt S. Olson